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E.O. 12958: DECL: 06/12/2019

TAGS: KACT PARM START JCIC INF US RS UP BO KZ

SUBJECT: JCIC-XXXIV: (U) HOD MEETING ON B-1 HEAVY BOMBER CONVERSION AND BASING OF U.S. HEAVY BOMBERS AND UKRAINIAN POSITION ON EXPIRATION OF START, JUNE 10, 2009

REF: A. STATE 54967 (U.S. RESPONSE TO RUSSIAN FEDERATION AIDE-MEMOIRE ON CONVERSION OF THE B-1 HEAVY BOMBER)
1B. RUSSIAN FEDERATION AIDE-MEMOIRE ON RUSSIAN CONCERNs OVER U.S. ACTIVITY INVOLVING CONVERSION OF B-1 HEAVY BOMBERS FOR NON-NUCLEAR ARMAMENTS AND THE BASING OF SUCH BOMBERS DATED OCTOBER 20 2008
1C. RUSSIAN FEDERATION AIDE-MEMOIRE ON RUSSIAN CONCERNs REGARDING UNITED STATES COMPLIANCE WITH CERTAIN PROVISIONS OF THE START TREATY DATED MARCH 10 2009
1D. STATE 58439 (JCIC-XXXIV-GUIDANCE 002)
1E. GENEVA 1005 (JCIC-XXXIV-017)

Classified By: Jerry A. Taylor, United States Representative to the Joint Compliance and Inspection Commission.

Reasons: 1.4(b) and (d).

11. (U) This is JCIC-XXXIV-013.

12. (U) Meeting Date: June 10, 2009
Time: 3:30 - 5:00 P.M.
Place: U.S. Mission, Geneva

SUMMARY

13. (S) A Heads of Delegation (HOD) meeting was held at the U.S. Mission on June 10, 2009, to discuss the conversion of the B-1 heavy bomber to a heavy bomber equipped for non-nuclear armament, basing of U.S. heavy bombers, and the Ukrainian position on the expiration of START. The United

States, Russia, Belarus, and Ukraine were represented.

¶4. (S) The U.S. Delegation explained that the conversion should render the aircraft incapable of carrying nuclear armaments but should not render the aircraft incapable of carrying conventional armaments. The U.S. Delegation also showed a photograph depicting a forward weapons bay before the conversion process is completed and explained what was actually done to convert the weapons bay. The Russian Delegation stated that they understood the conversion process of the B-1 heavy bomber, but were not certain that the process could not be quickly reversed. They also offered that they had been provided a copy of the photograph that the U.S. Delegation had shown. The U.S. Delegation stated that the key to progress on this issue would come in a mutual understanding of the term "incapable of carrying" and encouraged discussion of the U.S.-proposed Draft Joint Statement provided to the Parties on June 5, 2009 (REF A). The Russian Delegation said it would study the issue during the intersession and provide a recommendation on how the issue could be resolved.

¶5. (S) On the issue of the Ukrainian position regarding expiration of the START Treaty, Nykonenko read a lengthy statement expressing Ukraine's view that START should be extended to provide the time necessary for negotiations of a follow-on agreement and asserted Ukraine's right to be a part of any follow-on treaty.

SAME OLD ISSUES

¶6. (S) Koshelev opened the meeting, stating that the issue of conversion of the B-1 heavy bomber had been discussed in detail at JCIC-XXXII and JCIC-XXXIII. In addition, Russian concerns had been stated in two aides-memoire dated October 20, 2008 and March 10, 2009 (REFS B and C). Russia continued to have concerns about the U.S. process to convert the B-1 to a heavy bomber equipped for non-nuclear armaments because Russia still believed the B-1s that had undergone the conversion process retained the capability to carry nuclear armaments.

¶7. (S) Koshelev said that the United States was applying a new concept or definition that was not provided for in the Treaty. He added that the requirements of Section VI, Paragraph 11, of the Conversion or Elimination (C or E) Protocol were quite clear that "all weapons bays equipped to carry nuclear armaments be modified so as to render them incapable of carrying nuclear armaments." (Begin comment: Koshelev, when referring to a "new concept," was referring to the capability to operationally deploy or deliver a nuclear weapon. End comment.)

WE NEED TO SEE
BEFORE AND AFTER

¶8. (S) Koshelev recalled the July 10, 2008 inspection at the Davis-Monthan C or E Facility and stated that the distinguishability exhibition provided did not give the inspectors the opportunity to view both a non-converted B-1 and a converted B-1. Specifically, inspectors had seen partially disassembled pylon attachments from a non-converted B-1 and could not distinguish them from the converted pylon attachment joints. By not providing this distinguishability and technical analysis, Russia could not determine the conversion methods used by the United States. Additionally, Koshelev stated that the Russian Federation was not convinced that the attachment joints from the converted and non-converted aircraft had external and functional differences.

AIR BASE DEFINITION

¶19. (S) Koshelev reiterated Russia's concerns with basing heavy bombers of different categories at the same base. He said this practice conflicted with the requirements of Paragraph 23 of Article V. While the Russian Federation did not have an issue with the presence of B-1 aircraft at Davis-Monthan Air Force Base, it did not believe they should be based there. Koshelev said that the Russian Federation was still studying the U.S. non-paper, "On Conversion of the B-1 Heavy Bomber Equipped for Nuclear Weapons to a Heavy Bomber Equipped for Non-Nuclear Armaments," dated May 27, 2009 (REF D).

LET US EXPLAIN WHAT WE DID

¶10. (S) Taylor stated that the Parties appeared to have

different viewpoints on "irreversibility." Koshelev immediately replied back that he had not used the term "irreversibility" and that, in fact, this was not the issue. Taylor responded that he believed this was an issue that came out of a working group from the previous JCIC session (REF E).

¶11. (S) Taylor proceeded to deliver the U.S. explanation and interpretation of the B-1 conversion process. He referred to Paragraphs 10 and 11 of Section VI of the C or E Protocol which contains the "incapable of carrying nuclear armaments" clause. He argued that this clause did not mean that nuclear weapons cannot physically fit inside the weapons bay. Likewise, the term "carrying nuclear armaments" did not simply mean the ability to load or to hold an object the size and weight of a nuclear weapon.

¶12. (S) Taylor assured the other Parties that the United States had no plans or intentions of returning the B-1 to a nuclear role. Once converted, the B-1 could no longer be used for the delivery of nuclear armaments.

¶13. (S) Taylor said that the United States was prepared to work with the other Parties to develop an understanding on the intent of the term "no longer capable of carrying" and that if there were to be a resolution of this issue, the Parties needed to develop a practical solution that did not entail the removal of the capability for the B-1 to deliver non-nuclear weapons.

¶14. (S) Taylor added that, if such a practical solution could be reached for the weapons bay issue, a solution could also be reached for the pylon attachment joint issue.

¶15. (S) Taylor addressed the July 10, 2008 Data Update Inspection at the Davis-Monthan C or E Facility by adding that although at a distance the pylon attachment joint for a B-1 that had been converted and a B-1 that had not been converted appear similar, they served a different function. He assured the Parties that there were indeed physical differences which make the pylon attachment joint unusable for the pylons for LRNAs.

¶16. (S) Taylor turned to the issue of basing and stated that there had been no change in the location where B-1 heavy bombers were based. For accountability purposes, the B-1s were being attributed to Davis-Monthan when the conversion process was initiated.

¶17. (S) Taylor emphasized that the Treaty provided for the conversion of heavy bombers equipped for nuclear armaments other than LRNA to the category of heavy bombers equipped for non-nuclear armaments and that definitions for these terms existed.

¶18. (S) Taylor welcomed Russian views on what conversion procedure would meet Treaty requirements in their mind.

YOU HAVE A PHOTO?

¶19. (S) Koshelev said he believed that the United States had the correct approach to solve this issue, but there were some

terms in the Treaty that had dual interpretations. An understanding between the Parties must come from focusing on

a common understanding of terms. He reiterated Russia's concern that the B-1 could still be quickly returned to a nuclear role.

¶20. (S) Ryzhkov asked about a photograph that had been promised in the U.S. Delegation Paper, provided to the Parties on June 5, 2009, that stated that the U.S. Delegation would show a photograph depicting the B-1 weapons bay prior to conversion (REF A). Taylor provided the photograph for the Parties to review and Hanchett explained the various items in the photograph to include explaining the conversion process, identifying the various elements within the weapons bays that were modified during the conversion process. Taylor called for a break to let the Parties examine the photograph.

¶21. (S) After a short break, during which the Parties reviewed the photograph, Ryzhkov noted that he already had the photograph since it was provided during the pre-inspection briefing at the distinguishability exhibition.

MORE HOMEWORK

¶22. (S) Koshelev stated he understood that the distinguishing characteristic of the B-1 that made it incapable of carrying a nuclear armament is the removal of a unique cable and a cap placed over its lead to the weapons bay. Despite this, the Russian Federation was still not convinced that those cables could not be reinstalled just as quickly as they were removed. He said this is a good example of where our interpretations diverge and warrant a more concrete understanding of the term "incapable of carrying." He again pointed out that the United States had a good approach to alleviate Russian concerns and that Russia would like to think about this and other possible methods as "homework" and respond at a later date.

¶23. (S) Taylor stated that it was important to reach a joint understanding of the term "incapable of carrying" and that this was the vital piece to making progress. He added that he welcomed Russian ideas and looked forward to hearing their thoughts.

¶24. (S) Koshelev echoed Taylor's statement and noted that it was clear where U.S. and Russian opinions diverged, but by sitting down together we could solve this issue. He added that he understood the U.S. interpretation of "incapable of carrying," but again asked what the time required would be to re-convert the B-1 back to a nuclear role. Koshelev asked for any additional points Taylor had made be provided in written form. Taylor agreed to provide them. The additional points, in the form of a U.S. Delegation Paper, are provided below. (The Delegation Paper was provided on June 12, 2009 to the Russian Delegation.)

Begin text:

JCIC-XXXIV
U.S. Delegation Paper
June 10, 2009

Additional Points on Conversion of the B-1 Heavy Bomber Equipped for Nuclear Weapons to a Heavy Bomber

Equipped for Non-Nuclear Armaments

- If the parties can develop a practical solution for the weapons bay issue, the United States is confident that the Parties could also move to a practical solution for the pylon attachment joint issue.

- Regarding the data update inspection that occurred on July 10, 2008, at Davis-Monthan, Russian inspectors made an observation that the pylon attachment joint for the B-1 that had not been converted appeared to be identical to the modified pylon attachment joint. The United States offers the following comments:

1) There may be some similarity in viewing the modified pylon attachment joint and unmodified pylon attachment joint from a distance. The modified pylon attachment joints serve a function which is different from that of the unmodified pylon attachment joints.

2) The United States assures the other Parties that there are physical differences which make the pylon attachment joint unusable for the pylons for long-range nuclear ALCMs.

- On the issue of location, basing, and attribution of converted B-1 heavy bombers, the United States notes that there has been no change in the location where the B-1 heavy bombers are based. For administrative purposes, the heavy bombers are being attributed to Davis-Monthan when the conversion process is initiated. They will remain attributed to Davis-Monthan until the conversion process for all B-1 heavy bombers is complete.

- The Treaty provides for the conversion of heavy bombers equipped for nuclear armaments other than LRNA to the category of heavy bombers equipped for non-nuclear armaments.

Additionally, the Treaty contains a definition for a heavy bomber equipped for non-nuclear armaments. The implication of these provisions is that the Treaty allows for the converted heavy bomber to retain a capability to operationally deploy non-nuclear armaments.

- The United States would welcome Russian views on what conversion procedures would meet the Treaty's requirement that a converted heavy bomber be "incapable of carrying" nuclear armaments, while retaining the capability of carrying and operationally deploying non-nuclear armaments.

End text.

¶25. (S) Shevtsov stated that there was a broad range of perspectives on this issue. In a narrow view, "incapable of carrying" could just mean operationally incapable. In this case, certain cables have been removed. In an extreme view, it could mean bomb bay doors being welded shut, for example, which would make the bomber "physically incapable" of carrying nuclear armaments, but would also make the bomber obsolete. He pointed out transparency based on promises required trust, but the "guarantee" required physical incapability. Shevtsov concluded there was a compromise that was possible, but it may not be achievable within the time remaining under START.

¶26. (S) Taylor concluded by reemphasizing the importance of

reaching a joint understanding of "incapable of carrying." He said the task before the Parties was to find a compromise and that "where there is a will, there is a way." He added that he hoped we could continue these discussions during the intersessional period. Koshelev said the Russian Delegation would study the issue during the intersession and provide a recommendation on how it would resolve the issue.

IN THE FUTURE

¶27. (S) Nykonenko delivered the Ukrainian statement on START expiration. He promised to provide a written copy to all Parties. The official translation of the Ukrainian statement follows.

Begin text:

Official Translation

JCIC-XXXIV
Non-Paper of the
Ukrainian Side
June 10, 2009

The Ukrainian side placed on the agenda the issue of Ukraine's position in connection with expiration of the Treaty.

On the substance of the issue, the Delegation of Ukraine is authorized to state the following:

¶1. Ukraine is in favor of extending the Treaty -- its mechanism has proven its effectiveness throughout the fifteen years of its existence. Such a decision ensures a favorable time frame for thorough preparation of the new Agreement.

¶2. Having signed the Lisbon Protocol in May 1992, Ukraine acquired the status of a START successor state to the USSR as a full-fledged party, i.e. it not only assumed obligations, but also obtained certain rights. Ukraine's unprecedented contribution to nuclear disarmament and its active participation in reducing strategic offensive arms confirmed our country's status as a reliable and predictable partner.

¶3. The situation that has now emerged, where, in essence, Ukraine is excluded from the intensive negotiating process being conducted by Russia and the U.S., which should result in conclusion of an agreement to replace the START Treaty, is not only of great concern to the leadership of Ukraine, but is also becoming a subject of widespread discussion in political circles and among the most politically active segment of Ukraine's population.

¶4. Ukraine has been quite sensitive about the decision of the U.S. and Russia to begin negotiations to work out a new agreement in a bilateral format. Ukraine, which possesses significant potential in terms of missile technology production and has sufficient experience in nuclear disarmament verification activities, believes that it is fully entitled to participate actively in the new treaty.

¶5. Moreover, since it has a legal right to develop non-nuclear strategic offensive arms, Ukraine believes that because the new agreement is expected to deal with the category of "non-nuclear strategic weapon delivery vehicles," it is possible for Ukraine, from both a formal and a legal point of view, to participate in the new agreement as a party to the treaty.

¶6. Ukraine urges the interested parties to engage in a constructive dialogue with a view to ensuring that there is maximum transparency and that the interests of all the Parties to the START Treaty are taken into account to the fullest extent on the issue of strategic offensive arms control, and Ukraine believes that its absence among the Parties to the new international agreement in this area could cast doubt on the effectiveness of the Treaty being negotiated.

¶7. The Ukrainian side believes that the proposal in the statement by the Belarusian side at the meeting of the Commission on June 8, 2009, on adoption of a document that would reflect each Party's contribution to implementation of

the Treaty is timely and appropriate. We also believe it would be advisable to reflect in that document the prospects for our further cooperation in reducing strategic offensive arms.

¶8. In connection with the foregoing, Ukraine once again tables its proposal to hold an additional working session of the JCIC in order to discuss and adopt decisions on the outstanding issues, including those raised by the Ukrainian side.

End text.

¶28. (S) Koshelev thanked the Ukrainian Delegation and noted that their issues were both within the scope of the JCIC and outside the scope of the JCIC. He mentioned that the Russian Delegation would explore these issues and comment on them at a later time.

¶29. (S) Taylor also thanked the Ukrainian Delegation and informed them that the U.S. Delegation would take these issues back to Washington for study. He stated that these issues required serious thought and, therefore ,the United States would reserve comment at this time.

¶30. (S) The U.S. Delegation also provided a U.S. Delegation Paper containing the modalities of the Minuteman III demonstration. That text of the paper follows.

Begin text:

JCIC-XXXIV
U.S. Delegation Paper
June 10, 2009

U.S. One-time Demonstration of the Minuteman III
ICBM Front Section

The United States has decided to organize a one-time demonstration of the Minuteman III front section. This one-time demonstration will be conducted outside the obligations of the Treaty and will not be counted against the quotas of inspections allocated to the other Parties. The

United States will inform the Parties to the Treaty through Diplomatic channels of the date of the demonstration.

The procedures used to conduct the demonstration will mimic procedures listed in Annex 3 of the Inspection Protocol. After separation from the ICBM, the front section will be transported to a Specially Allocated Site where members of the Observing Team will be permitted to view the space inside the lower portion of the front section to determine that it cannot contain items corresponding to reentry vehicles.

Shrouding of sensitive elements may be present and will not impede any determination that additional reentry vehicles cannot be located within the space of the lower portion of the front section of a Minuteman III ICBM.

The United States stresses that no additional devices or equipment will be used during the one-time demonstration.

The U.S. expectation for the results of the demonstration will be a factual report documenting the conduct of the demonstration, including procedures used and what the Observing Team observed.

The Minuteman III ICBM RVOSI demonstration is a one-time event and will not be a demonstration of a new method of presenting the Minuteman III ICBM front section for use during future RVOSIs. The demonstration is intended to foster confidence and predictability in the existing Minuteman III RVOSI procedures.

The United States does not intend that any new procedures specific to this one-time demonstration will be codified.

The United States expects that satisfactory conduct of the demonstration will allow the Parties to resolve this issue, that the Parties will record this result in Coordinated Statements at a JCIC session following the demonstration or through diplomatic channels, and that this issue accordingly will be removed from the JCIC agenda.

Details concerning the modalities of the demonstration are as follows:

¶1. The United States will select the ICBM base for silo launchers of ICBMs at which the demonstration will be conducted.

¶2. The Observing Team will designate the silo launcher of ICBMs containing the Minuteman III front section for the demonstration.

¶3. The procedures set forth in Annex 3 to the Inspection Protocol will be followed up to the point of front section separation. The procedures set forth in paragraph 1 of Annex 2 to the Inspection Protocol will be used to view a silo launcher declared not to contain a Minuteman III ICBM should that be encountered.

¶4. Following completion of the demonstration, a narrative report will be prepared documenting the conduct of the demonstration, including what procedures were used and what the Observing Team observed.

End text.

¶31. (U) Documents exchanged.

- U.S.

-- U.S. Delegation Paper Containing Additional Points on Conversion of the B-1 Heavy Bomber Equipped for Nuclear Weapons to a Heavy Bomber Equipped for Non-Nuclear Armaments, dated June 10, 2009 (provided to the Russian Delegation on June 12, 2009);

-- U.S. Delegation Paper containing Questions from the United States Delegation to Help Resolve U.S. Concerns on SS-27 RVOSI Procedures, dated June 9, 2009; and

-- U.S. Delegation Paper on the U.S. One-Time Demonstration of the Minuteman III ICBM Front Section, dated June 10, 2009.

- UKRAINE:

-- Ukrainian Paper, Ukraine's Position on the Expiration of the START Treaty, dated June 10, 2009.

¶32. (U) Participants:

U.S.

Mr. Taylor
Mr. Beddoes
Ms. Bosco
Lt Col Comeau
Mr. Couch
Mr. DeNinno
Mr. Dunn
Mr. Edinger
Mr. Fortier
Mr. Hanchett
Mr. Johnston
LT Lobner

Mr. Smith
Mr. Stein
Mr. Vogel
Ms. Gross (Int)
Dr. Hopkins (Int)

BELARUS

Mr. Ugorich
Mr. Ponomarev

RUSSIA

Mr. Koshelev
Mr. Bolotov
Ms. Ivanova
Mr. Kashirin
Ms. Kotkova
Col Petrov
Col Ryzhkov
Mr. Schevtchenko
Mr. Serov
Mr. Smirnov

Mr. Vorontsov
Col Zaytsev
Mr. Dashko (Int)
Ms. Komshilova (Int)

UKRAINE

Mr. Nykonenko
Dr. Shevtsov
Mr. Chernyavskiy
MGen Fedotov
Mr. Shevchenko

¶33. (U) Taylor sends.
STORELLA